

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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FRANK MCCARRON,

Plaintiff,

v.

UNITED STATES OF AMERICA; HERMAN QUAY III, Warden, Metropolitan Detention Center, Brooklyn; DEBORAH SCHULT, Assistant Director, Health Services Division, Federal Bureau of Prisons; IAN CONNERS, Administrator, National Inmate Appeals, Federal Bureau of Prisons; MICHAEL BORECKY, Acting Clinical Director of the Medical Center, Metropolitan Detention Center, Brooklyn; RAME AWD, Doctor, Metropolitan Detention Center; BRUCE BIALOR, Doctor, Metropolitan Detention Center, Brooklyn; KEVIN PIGOS, Doctor, Metropolitan Detention Center, Brooklyn; CLODINA BABSON, Nurse, Metropolitan Detention Center, Brooklyn; TROY BRADWISCH, Nurse, Metropolitan Detention Center, Brooklyn; BRIAN GERSON, Nurse, Metropolitan Detention Center Brooklyn,

Defendants.
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**STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE**

Civil Action No.
18-CV-1903

(Vitaliano, J.)

(Reyes, M.J.)

IT IS HEREBY STIPULATED AND AGREED, by and between the parties to the above-captioned action, plaintiff FRANK MCCARRON and defendants UNITED STATES OF AMERICA, HERMAN QUAY III, DEBORAH SCHULT, IAN CONNORS, MICHAEL BORECKY, BRUCE BIALOR, KEVIN PIGOS, CLODINA BABSON, TROY BRADWISCH and BRIAN GERSON, by and through their undersigned attorneys, that plaintiff's complaint against defendants and all claims therein be and hereby are dismissed, with prejudice, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), without costs or fees to any party as against any other. No further

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suit may be instituted for the same causes of action which have been asserted herein, or for any other causes of action arising out of the incidents or circumstances that gave rise to this action; and

IT IS FURTHER STIPULATED AND AGREED that this Stipulation and Order may be executed in separate counterparts and by facsimile signature, each of which shall be deemed to be an original.

Once this Stipulation and Order has been signed and so ordered by the Court, the Clerk of the Court shall enter judgment in this case dismissing the action with prejudice and shall close the case.

Dated: New York, New York
September 11, 2019

CARDOZO CIVIL RIGHTS CLINIC
Attorneys for Plaintiff
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New York, New York 10003

By: /s/ Betsy Ginsberg
Betsy Ginsberg, Esq.
(212) 790-0871

Dated: Brooklyn, New York
September 11, 2019

RICHARD P. DONOGHUE
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Attorney for Defendants
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271 Cadman Plaza East
Brooklyn, New York 11201

By: /s/ Matthew J. Modafferi
Matthew J. Modafferi
Assistant U.S. Attorney
(718) 254-6229

SO ORDERED this
____ day of _____, 2019

HONORABLE ERIC N. VITALIANO
United States District Judge